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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---------------|-------------|----------------------|---------------------|
| 07/966,414 | 10/26/92 | DINKINS | G 4728 |

26M1/0727
LAURENCE R. BROWN
2001 JEFFERSON DAVIS HWY.
STE. 408
ARLINGTON, VA 22202

EXAMINER
CHIN, W

ART UNIT PAPER NUMBER
2603 5

DATE MAILED: 07/27/93

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined. ☐ Responsive to communication filed on: ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 30 month(s) days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.
2. ☒ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449.
4. ☒ Notice of Informal Patent Application, Form PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐

Part II SUMMARY OF ACTION

1. ☒ Claims 1-34 are pending in the application.

Of the above, claims 1-34 are withdrawn from consideration.

2. ☐ Claims 1-34 have been cancelled.

3. ☐ Claims 1-34 are allowed.

4. ☐ Claims 1-34 are rejected.

5. ☐ Claims 1-34 are objected to.

6. ☒ Claims 1-34 are subject to restriction or election requirement.

7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on . Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on , has been ☐ approved. ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. ; filed on .

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Art Unit: 2603

1. Restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 1-20 and 28-34, drawn to multiplexed radio communications, classified in Class 370, subclass 95.1.

II. Claims 21-27, drawn to a digital transceiver, classified in Class 375, subclass 7.

2. Note that there are two claim 29's in the application, hence, the second claim 29 and claims 30-33 have been renumber as claims 30-34 respectively and the corresponding claim dependencies have been change in accordance with the renumber.

3. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations. (M.P.E.P. § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination does not require the particular transceiver of the subcombination. The subcombination has separate utility such as digital transceiver in a cellular communication system.

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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5. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wellington Chin whose telephone number is (703) 305-4366.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

W.Chin
(703)305-4366
07/26/93



WELLINGTON CHIN
PRIMARY EXAMINER
GROUP 2600